

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOHNATHON CHAD LIND, #44709	§	
	§	
VS.	§	CIVIL CASE NO. 4:22-CV-490
	§	
LAMAR COUNTY SHERIFF'S	§	
OFFICE, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE


Came on for consideration the Report and Recommendation of the United States Magistrate Judge in this action (the "Report") (Dkt. #16), this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636.

In the Report, the Magistrate Judge recommends that Plaintiff's lawsuit be dismissed. Specifically, the Magistrate Judge recommends: (1) the claims against Defendants Lamar County Jail and the Lamar County Sheriff's Office be dismissed with prejudice as frivolous and for failing to state a claim; (2) Plaintiff's claims for illegal arrest, entrapment, wrongful imprisonment, illegal incarceration, and double jeopardy be dismissed with prejudice to them being asserted again until the *Heck* conditions are met; (3) any claims sounding in habeas corpus be dismissed without prejudice to Plaintiff's right to challenge his sentences through any lawful means, including but not limited to state or federal habeas corpus proceedings; and (4) the dismissal count as a strike pursuant to 28 U.S.C. § 1915(g) based on the recommendation that some claims be dismissed as frivolous for failing to state a claim upon which relief may be granted.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

IT IS ORDERED that Plaintiff's lawsuit is **DISMISSED**; this dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g); and the Clerk of Court is directed to **CLOSE** this civil action.

So ORDERED and SIGNED this 3rd day of February, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE